

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DONALD W. KUYKENDALL, JR.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-13-1146-F
)	
CAROLYN W. COLVIN, Acting)	
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	

ORDER

On March 27, 2015, this court reversed the decision of the Acting Commissioner of the Social Security Administration and remanded this case for further administrative proceedings. No appeal was taken from the court's judgment, and the same is now final.


Presently before the court is Plaintiff's Motion for Award of Attorney Fees Pursuant to the *Equal Access to Justice Act*, filed May 27, 2015 (doc. no. 21), wherein plaintiff requests an award in the amount of \$6,319.30 for attorney's fees for all work performed in this case. Defendant has responded to the motion, and in so doing, states that she does not object to the requested award or requested amount.

Upon review of the unopposed motion, the court finds that plaintiff is entitled to an award of attorney's fees under the Equal Access to Justice Act and that the requested amount of attorney's fees is reasonable.

Accordingly, Plaintiff's Motion for Award of Attorney Fees Pursuant to the *Equal Access to Justice Act*, filed May 27, 2015 (doc. no. 21) is **GRANTED**. Plaintiff is awarded attorney's fees in the amount of \$6,319.30. Pursuant to Astrue v. Ratliff,

560 U.S. 586 (2010), the attorney's fees are payable to plaintiff, not plaintiff's attorney, and such fees are subject to an offset when the plaintiff has outstanding federal debts. The check made payable to plaintiff shall be sent to plaintiff's counsel's office. If plaintiff's counsel are also awarded attorney's fees under 42 U.S.C. § 406(b) of the Social Security Act, plaintiff's counsel shall refund the smaller award to plaintiff pursuant to Weakley v. Bowen, 803 F.2d 575, 580 (10th Cir. 1986).

IT IS SO ORDERED this 5th day of June, 2015.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE